

REMARKS

Claims 1-24 and 26-82 are pending. The title has been amended as required in the Office Action.

Claims 1-2, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 27, 29, 31, 33 and 35 were rejected under 35 USC 103(a) over U.S. Patent 6,510,151 (Cioli et al.) in view of U.S. 2002/0001288 (Fukunaga et al.). Claims 3-4 were rejected under 35 U.S.C. 103(a) over Kato in view of Fukunaga et al. Claims 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34 and 36 were rejected under 35 U.S.C. 103(a) over Cioli et al. in view of Fukunaga in further view of Kato. Claims 37-42 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cioli et al. in view of Kato in further view of Applicant's admission of prior art. Dependent claims 43-82 were rejected under the same rationale as similar dependent claims listed above. Applicant submits that the independent claims are patentable for at least the following reasons.

All of the independent claims except for claim 37 were rejected at least in part based upon Fukunaga et al. However, Fukunaga et al. is not prior art that may be used in a rejection of the claims of the present application.

That is, because international application PCT/JP00/059321, from which Fukunaga et al. claimed benefit, was filed before November 29, 2000, it qualifies as prior art under 35 U.S.C. 102(e) only as of its *U.S.* filing date, April 30, 2001, a date which is *after* the *U.S.* filing date of the present application. Thus Fukunaga et al. is not prior art.

For at least the foregoing reason, all of the rejections of independent claims 1, 3, 5 and 6, and the claims dependent thereon, should be withdrawn.

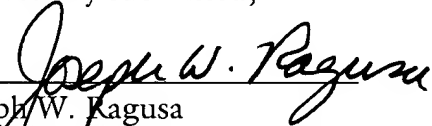
Claim 37 was amended in the Amendment dated September 20, 2004 to recite, inter alia, the means for detecting, the means for re-securing and the wherein clause as recited

in claim 1. For some reason, this amendment to claim 37 was ignored in the Office Action, which simply repeated the earlier rejection of claim 37 before such amendment. However, because the Examiner relied upon Fukunaga et al. to provide the aforementioned features in the rejections of the other independent claims, Fukunaga et al. would have been necessary to reject claim 37 as well under the rationale followed in the rest of the Office Action. For at least this reason, the removal of Fukunaga et al. as a prior art reference also obviates the rejection of claim 37 and the claims dependent thereon.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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